

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA
* * *

THOMAS BAXTER, ELLIE BAXTER and
THOMAS BAXTER, JR., as heirs of NISA
BAXTER; and THOMAS BAXTER, JR. as
Personal Representative of the Estate of
NISA BAXTER,

Plaintiffs,

v.

LAKE MICHIGAN DISTILLING
COMPANY, LLC, a Foreign Limited
Liability Company, GLYCERIN TRADERS,
a Foreign Limited Liability Company,
COLBY ZEEDYK, an individual, DENNIS
ZEEDYK, an individual, DANIELLE
BENJAMIN, an individual, and DOES I-X,

Defendants.

GLYCERIN TRADERS, LLC,

Third-Party Plaintiff,

v.

RESOURCE MARKETING SERVICES,
LLC d/b/a RESOURCE MARKETING
SERVICE, INC.,

Third-Party Defendant.

Case No.: 3:18-cv-00388-LRH-CBC

**STIPULATION AND ORDER FOR
DISMISSAL WITH PREJUDICE**

Pursuant to Federal Rule of Civil Procedure 41(a), Plaintiffs THOMAS BAXTER,

1 ELLIE BAXTER and THOMAS BAXTER, JR., as heirs of NISA BAXTER; and THOMAS
2 BAXTER, JR. as Personal Representative of the Estate of NISA BAXTER (“Plaintiffs”)
3 and Defendants LAKE MICHIGAN DISTILLING COMPANY, LLC, a Foreign Limited
4 Liability Company, GLYCERIN TRADERS, a Foreign Limited Liability Company,
5 COLBY ZEEDYK, an individual, DENNIS ZEEDYK, an individual, DANIELLE
6 BENJAMIN (“Defendants,” and, collectively with Plaintiffs, the “Parties”), by and through
7 their respective undersigned counsel of record, hereby stipulate and agree, as follows:
8

9 1. On or about February 8, 2019, Plaintiffs filed the First Amended Complaint
10 against Defendants.

11 2. On or about February 22, 2019, Defendant LAKE MICHIGAN DISTILLING
12 COMPANY, LLC filed an Answer with no counterclaims.

13 3. On or about March 6, 2019, Defendant GLYCERIN TRADERS, LLC filed
14 an Answer with no counterclaims.¹

15 4. On or about March 29, 2019, Defendant DENNIS ZEEDYK filed a Motion
16 to Dismiss in response to Plaintiffs’ First Amended Complaint.

17 5. On or about March 29, 2019, Defendant DANIELLE BENJAMIN filed a
18 Motion to Dismiss in response to Plaintiffs’ First Amended Complaint.

19 6. Defendant COLBY ZEEDYK has not appeared in this action.

20 7. Plaintiffs and Defendants have agreed that all claims between Plaintiffs
21 and Defendants in this matter shall be dismissed with prejudice, with each of the Parties
22 to bear its own fees and costs.

23 ...

24 ...

25 ...

26 ...

27 ¹ Defendant GLYCERIN TRADERS, LLC filed a Third-Party Complaint against Resource
28 Marketing Services, LLC on or about March 7, 2019. This Stipulation and Order does not
concern Defendant GLYCERIN TRADERS, LLC’s Third-Party Complaint.

8. Once entered, this order will dismiss Plaintiffs' First Amended Complaint in its entirety with prejudice.

DATED this 23rd day of May, 2019.

/s/CLAYTON P. BRUST

Clayton P. Brust, Esq.
Therese Shanks, Esq.
Robison, Sharp, Sullivan & Brust
71 Washington Street
Reno, Nevada 89503

Attorneys for Plaintiffs

DATED this 23rd day of May, 2019.

/s/KURT R. BONDS

Kurt R. Bonds, Esq.
Alexander P. Williams, Esq.
Alverson Taylor & Sanders
6605 Grand Montecito Parkway, Suite 200
Las Vegas, Nevada 89149

Steven E. Guinn, Esq.
Laxalt & Nomura, Ltd.
9790 Gateway Drive, Suite 200
Reno, Nevada 89521

Attorneys for Defendants

ORDER

IT IS SO ORDERED.

ORDERED this 23rd day of May, 2019.

LARRY R. HICKS

UNITED STATES DISTRICT JUDGE